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U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte KLAUS-PETER MAASS, UWE BERGMANN, ARND G. HERWIG,  
STEFAN JUTZI, PATRICE CARDINE, RAINER GRIMM,  
KLAUS-DIETER STRAUSS, DANIEL DREWNIOK, HARALD KOLLNER,  
GEORG WURM, PATRICK HOF, SIMON BLAIR DOBSON,  
KENNETH W. SCHANG and GREGORY KEYES

Application No. 09/672,393

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on March 8, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On December 18, 2002, an Examiner's Answer was mailed (Paper No. 21). A review of the Examiner's Answer reveals that there is no evidence that an appeals conference was conducted by the examiner. According to the Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., Rev. 1, February 2003):

On the examiner's answer, below the primary examiner's signature, the word "Conferees:" should be included, followed by the typed or printed names of the

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other two appeal conference participants. These two appeal conference participants must place their initials next to their name. This will make the record clear that an appeal conference has been held.

In addition, according to the file wrapper, appellants filed a Change of Address on September 25, 2002 (Paper No. 19). A review of the application reveals that no such paper can be found.

Accordingly, it is

ORDERED that the application is returned to the examiner for taking corrective action regarding the appeals conference, to provide a copy of appellants' Change of Address filed September 25, 2002 (Paper No. 19), and for such further action as may be appropriate.

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FCH/clm/ts  
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